

The trial has been broken off until the matter of Harry Thaw's present sanity has been tested.

As chairman of the commission, David McClure had the central place. Reporters filled the jury box.

Mr. McClure opened the first session of what is apt to prove the most momentous lunacy commission that ever sat in this country by asking Clerk Penney to read the court order creating the present proceedings. Then the presiding officer asked what attorneys were present.

Jerome named himself and his assistant, Mr. Garvan. Then Hartbridge arose: "I am the attorney of record," he said. "Other counsel for the defense present are Mr. Delmas, Mr. Peabody, Mr. Gleason and Mr. O'Reilly."

"Now, then," said Mr. McClure, "what is the defendant's attitude regarding an examination?"

"I am present and I desire to know his wishes," said Mr. Hartbridge.

"Mr. Thaw is willing to submit to any proper examination, but since he is on trial for his life, he asks that all the examinations of him shall be held in private."

There will be open sessions. "On that point the commissioners have already agreed," said Mr. McClure.

"They have agreed that any examinations of the defendant should be conducted privately, with only the counsel and the court officers present, and that the record of that phase of the proceedings should be kept private."

"In such case a plea of insanity to take any part in the proceedings except as the commissioners may direct," said Mr. Jerome. "Then he went ahead to define the duties of the commission, paying particular attention to the part which Dr. Putzel, as a medical expert, would play."

"I do not catch the District Attorney's meaning," said the presiding Commissioner. "As I understand it, the statute directs that the District Attorney shall be present."

"What I mean is this," explained Mr. Jerome. "I feel that medical experts should be given an opportunity to make full physical tests of this defendant."

Intricate Tests May Be Made. "Very well," said Mr. McClure. "There is then a disagreement between us. One attitude is that the commission may be able to make up its mind from observations of the defendant in court and from testimony of others residing in his household."

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SILENT SMITH'S SUDDEN DEATH DUE TO CANCER

Millionaire Was First Operated On in Japan for Toothache.

KIOTO, Japan, March 23.—James Henry Smith, the wealthy New Yorker, who died here suddenly yesterday while on a wedding tour around the world, began to complain of toothache while crossing the Indian Ocean. On reaching Shanghai he consulted a doctor and pain was somewhat relieved.

When Mr. Smith reached Nagasaki the pain increased, but after medical treatment, he succeeded in reaching Kobe, where another doctor was consulted. Mr. Smith then proceeded to Osaka, where he was operated on by a dentist, but he was so weak when he reached this city that he had to be carried to his hotel.

He underwent a surgical operation on the affected gum during the afternoon of March 23 and was progressing fairly well, but suddenly grave symptoms developed yesterday and he expired at 9 o'clock in the evening from what is believed to have been a bad case of cancer.

That the widow of James Henry "Silent" Smith, who died in Tuesday in Japan, will inherit the bulk of his estate was asserted to-day by Herman S. Leroy, of No. 10 Wall street, Mr. Smith's representative in New York.

Mr. Leroy said that a will in which the widow was named as chief beneficiary was drawn by Mr. Smith shortly after his marriage in Scotland on Sept. 13.

"There had been a previous will," said Mr. Leroy, "which is here in New York. The will drawn in Scotland was, I believe, the last will and testament of Mr. Smith. It is now in possession of the Japanese authorities."

"I have been trying to get into communication with Yokohama ever since the cablegram announcing Mr. Smith's death and the plans for bringing his body home have been made, but have been unable to do so. I believe, however, that the original plan of sailing from Yokohama on April 10 with the body will be adhered to."

May Cause Social War. Although she will be the richest woman in New York society upon her return to this city, the question as to how Mr. Smith will be received, strong as her following is, opposition to her is sure to develop among those who were her friends and associates in South America and elsewhere.

Mr. Smith on the twenty-fourth day of his journey, was divorced from William Rhineclaud Stewart, which the great Rhineclaud family, which for generations has been powerful in society, and the other connections of the Stewart family, bitterly resented.

Mr. Stewart has been married to a girl of her late husband and expected to rally around her. With wealth and beauty she was considered by the "riches" of the world.

On the other hand, Mrs. Stewart has been married to a girl of her late husband and expected to rally around her. With wealth and beauty she was considered by the "riches" of the world.

Mr. Smith's will, which was drawn by a New York lawyer, provided that his widow should receive the bulk of his estate, with the exception of a small sum to be paid to his children.

The sudden death of Mr. Smith, which occurred while he was on a wedding tour around the world, has caused a great deal of speculation as to the cause of his death.

It is believed that the cause of his death was cancer, which had been developing for some time. Mr. Smith was a very wealthy man and his death has caused a great deal of speculation as to the cause of his death.

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No. 5 INDEXED March 28 TRAINING GALLOPS

AT GRAVESEND.

GRAVESEND, March 28.—Training conditions were very good at the local course to-day, and some smart moves were noted. The best follows:

1 BUTTLING—Six furlongs in 1.31, breeding. Doing all his trainer wishes. Has good action.

2 DAN BUIRES—Four furlongs in 0.53.2, 0.54.2, 0.55.2, 0.56.2, 0.57.2, 0.58.2, 0.59.2, 0.60.2, 0.61.2, 0.62.2, 0.63.2, 0.64.2, 0.65.2, 0.66.2, 0.67.2, 0.68.2, 0.69.2, 0.70.2, 0.71.2, 0.72.2, 0.73.2, 0.74.2, 0.75.2, 0.76.2, 0.77.2, 0.78.2, 0.79.2, 0.80.2, 0.81.2, 0.82.2, 0.83.2, 0.84.2, 0.85.2, 0.86.2, 0.87.2, 0.88.2, 0.89.2, 0.90.2, 0.91.2, 0.92.2, 0.93.2, 0.94.2, 0.95.2, 0.96.2, 0.97.2, 0.98.2, 0.99.2, 1.00.2, 1.01.2, 1.02.2, 1.03.2, 1.04.2, 1.05.2, 1.06.2, 1.07.2, 1.08.2, 1.09.2, 1.10.2, 1.11.2, 1.12.2, 1.13.2, 1.14.2, 1.15.2, 1.16.2, 1.17.2, 1.18.2, 1.19.2, 1.20.2, 1.21.2, 1.22.2, 1.23.2, 1.24.2, 1.25.2, 1.26.2, 1.27.2, 1.28.2, 1.29.2, 1.30.2, 1.31.2, 1.32.2, 1.33.2, 1.34.2, 1.35.2, 1.36.2, 1.37.2, 1.38.2, 1.39.2, 1.40.2, 1.41.2, 1.42.2, 1.43.2, 1.44.2, 1.45.2, 1.46.2, 1.47.2, 1.48.2, 1.49.2, 1.50.2, 1.51.2, 1.52.2, 1.53.2, 1.54.2, 1.55.2, 1.56.2, 1.57.2, 1.58.2, 1.59.2, 1.60.2, 1.61.2, 1.62.2, 1.63.2, 1.64.2, 1.65.2, 1.66.2, 1.67.2, 1.68.2, 1.69.2, 1.70.2, 1.71.2, 1.72.2, 1.73.2, 1.74.2, 1.75.2, 1.76.2, 1.77.2, 1.78.2, 1.79.2, 1.80.2, 1.81.2, 1.82.2, 1.83.2, 1.84.2, 1.85.2, 1.86.2, 1.87.2, 1.88.2, 1.89.2, 1.90.2, 1.91.2, 1.92.2, 1.93.2, 1.94.2, 1.95.2, 1.96.2, 1.97.2, 1.98.2, 1.99.2, 2.00.2, 2.01.2, 2.02.2, 2.03.2, 2.04.2, 2.05.2, 2.06.2, 2.07.2, 2.08.2, 2.09.2, 2.10.2, 2.11.2, 2.12.2, 2.13.2, 2.14.2, 2.15.2, 2.16.2, 2.17.2, 2.18.2, 2.19.2, 2.20.2, 2.21.2, 2.22.2, 2.23.2, 2.24.2, 2.25.2, 2.26.2, 2.27.2, 2.28.2, 2.29.2, 2.30.2, 2.31.2, 2.32.2, 2.33.2, 2.34.2, 2.35.2, 2.36.2, 2.37.2, 2.38.2, 2.39.2, 2.40.2, 2.41.2, 2.42.2, 2.43.2, 2.44.2, 2.45.2, 2.46.2, 2.47.2, 2.48.2, 2.49.2, 2.50.2, 2.51.2, 2.52.2, 2.53.2, 2.54.2, 2.55.2, 2.56.2, 2.57.2, 2.58.2, 2.59.2, 2.60.2, 2.61.2, 2.62.2, 2.63.2, 2.64.2, 2.65.2, 2.66.2, 2.67.2, 2.68.2, 2.69.2, 2.70.2, 2.71.2, 2.72.2, 2.73.2, 2.74.2, 2.75.2, 2.76.2, 2.77.2, 2.78.2, 2.79.2, 2.80.2, 2.81.2, 2.82.2, 2.83.2, 2.84.2, 2.85.2, 2.86.2, 2.87.2, 2.88.2, 2.89.2, 2.90.2, 2.91.2, 2.92.2, 2.93.2, 2.94.2, 2.95.2, 2.96.2, 2.97.2, 2.98.2, 2.99.2, 3.00.2, 3.01.2, 3.02.2, 3.03.2, 3.04.2, 3.05.2, 3.06.2, 3.07.2, 3.08.2, 3.09.2, 3.10.2, 3.11.2, 3.12.2, 3.13.2, 3.14.2, 3.15.2, 3.16.2, 3.17.2, 3.18.2, 3.19.2, 3.20.2, 3.21.2, 3.22.2, 3.23.2, 3.24.2, 3.25.2, 3.26.2, 3.27.2, 3.28.2, 3.29.2, 3.30.2, 3.31.2, 3.32.2, 3.33.2, 3.34.2, 3.35.2, 3.36.2, 3.37.2, 3.38.2, 3.39.2, 3.40.2, 3.41.2, 3.42.2, 3.43.2, 3.44.2, 3.45.2, 3.46.2, 3.47.2, 3.48.2, 3.49.2, 3.50.2, 3.51.2, 3.52.2, 3.53.2, 3.54.2, 3.55.2, 3.56.2, 3.57.2, 3.58.2, 3.59.2, 3.60.2, 3.61.2, 3.62.2, 3.63.2, 3.64.2, 3.65.2, 3.66.2, 3.67.2, 3.68.2, 3.69.2, 3.70.2, 3.71.2, 3.72.2, 3.73.2, 3.74.2, 3.75.2, 3.76.2, 3.77.2, 3.78.2, 3.79.2, 3.80.2, 3.81.2, 3.82.2, 3.83.2, 3.84.2, 3.85.2, 3.86.2, 3.87.2, 3.88.2, 3.89.2, 3.90.2, 3.91.2, 3.92.2, 3.93.2, 3.94.2, 3.95.2, 3.96.2, 3.97.2, 3.98.2, 3.99.2, 4.00.2, 4.01.2, 4.02.2, 4.03.2, 4.04.2, 4.05.2, 4.06.2, 4.07.2, 4.08.2, 4.09.2, 4.10.2, 4.11.2, 4.12.2, 4.13.2, 4.14.2, 4.15.2, 4.16.2, 4.17.2, 4.18.2, 4.19.2, 4.20.2, 4.21.2, 4.22.2, 4.23.2, 4.24.2, 4.25.2, 4.26.2, 4.27.2, 4.28.2, 4.29.2, 4.30.2, 4.31.2, 4.32.2, 4.33.2, 4.34.2, 4.35.2, 4.36.2, 4.37.2, 4.38.2, 4.39.2, 4.40.2, 4.41.2, 4.42.2, 4.43.2, 4.44.2, 4.45.2, 4.46.2, 4.47.2, 4.48.2, 4.49.2, 4.50.2, 4.51.2, 4.52.2, 4.53.2, 4.54.2, 4.55.2, 4.56.2, 4.57.2, 4.58.2, 4.59.2, 4.60.2, 4.61.2, 4.62.2, 4.63.2, 4.64.2, 4.65.2, 4.66.2, 4.67.2, 4.68.2, 4.69.2, 4.70.2, 4.71.2, 4.72.2, 4.73.2, 4.74.2, 4.75.2, 4.76.2, 4.77.2, 4.78.2, 4.79.2, 4.80.2, 4.81.2, 4.82.2, 4.83.2, 4.84.2, 4.85.2, 4.86.2, 4.87.2, 4.88.2, 4.89.2, 4.90.2, 4.91.2, 4.92.2, 4.93.2, 4.94.2, 4.95.2, 4.96.2, 4.97.2, 4.98.2, 4.99.2, 5.00.2, 5.01.2, 5.02.2, 5.03.2, 5.04.2, 5.05.2, 5.06.2, 5.07.2, 5.08.2, 5.09.2, 5.10.2, 5.11.2, 5.12.2, 5.13.2, 5.14.2, 5.15.2, 5.16.2, 5.17.2, 5.18.2, 5.19.2, 5.20.2, 5.21.2, 5.22.2, 5.23.2, 5.24.2, 5.25.2, 5.26.2, 5.27.2, 5.28.2, 5.29.2, 5.30.2, 5.31.2, 5.32.2, 5.33.2, 5.34.2, 5.35.2, 5.36.2, 5.37.2, 5.38.2, 5.39.2, 5.40.2, 5.41.2, 5.42.2, 5.43.2, 5.44.2, 5.45.2, 5.46.2, 5.47.2, 5.48.2, 5.49.2, 5.50.2, 5.51.2, 5.52.2, 5.53.2, 5.54.2, 5.55.2, 5.56.2, 5.57.2, 5.58.2, 5.59.2, 5.60.2, 5.61.2, 5.62.2, 5.63.2, 5.64.2, 5.65.2, 5.66.2, 5.67.2, 5.68.2, 5.69.2, 5.70.2, 5.71.2, 5.72.2, 5.73.2, 5.74.2, 5.75.2, 5.76.2, 5.77.2, 5.78.2, 5.79.2, 5.80.2, 5.81.2, 5.82.2, 5.83.2, 5.84.2, 5.85.2, 5.86.2, 5.87.2, 5.88.2, 5.89.2, 5.90.2, 5.91.2, 5.92.2, 5.93.2, 5.94.2, 5.95.2, 5.96.2, 5.97.2, 5.98.2, 5.99.2, 6.00.2, 6.01.2, 6.02.2, 6.03.2, 6.04.2, 6.05.2, 6.06.2, 6.07.2, 6.08.2, 6.09.2, 6.10.2, 6.11.2, 6.12.2, 6.13.2, 6.14.2, 6.15.2, 6.16.2, 6.17.2, 6.18.2, 6.19.2, 6.20.2, 6.21.2, 6.22.2, 6.23.2, 6.24.2, 6.25.2, 6.26.2, 6.27.2, 6.28.2, 6.29.2, 6.30.2, 6.31.2, 6.32.2, 6.33.2, 6.34.2, 6.35.2, 6.36.2, 6.37.2, 6.38.2, 6.39.2, 6.40.2, 6.41.2, 6.42.2, 6.43.2, 6.44.2, 6.45.2, 6.46.2, 6.47.2, 6.48.2, 6.49.2, 6.50.2, 6.51